



Attorney Docket 054800-5015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Roderic Dale et al.**)
Application No. **09/408,761**)
Filed: **September 29, 1999**)
For: **Methods for Production of Arrays**)
with Modified Oligonucleotide and)
Polynucleotide Compositions)

Examiner: **Jeffrey Lundgren**

Group Art Unit: **1631**

BOX RCE

Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 C.F.R. 1.114

This is a request for continued examination under 37 C.F.R. 1.114 of application 09/408,761 (filed September 29, 1999) entitled Methods for Production of Arrays with Modified Oligonucleotide and Polynucleotide Compositions.

1. Please consider and enter the amendment under 37 C.F.R. 1.116 previously filed on May 8, 2001 (copy attached).
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for a four month extension of time extending the period for response from July 8, 2001 to November 8, 2001.
3. Fee Payment: A check in the amount of **\$1,090.00** for payment of the continued examination filing fee of \$370.00 and the four-month extension of time fee of \$720.00 for a small entity is enclosed.
4. Revocation of power of attorney and grant of new power of attorney by assignee is attached. Enclosed is a copy of the Revocation of Original Power of Attorney and Grant of New Power of Attorney by the Assignee (Oligos Etc. Inc.) of the present application.
5. Please change the 12-digit Attorney Docket Identifier to **054800-5015**.
6. Please address all correspondence to:

Customer Number: 009629
Morgan, Lewis & Bockius LLP
1800 M Street, N.W.
Washington, D.C. 20036

11/09/2001 BNGUYEN1 00000038 09408761

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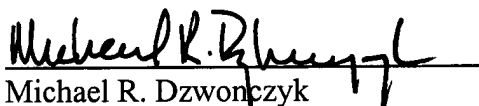
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7. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **Constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **November 8, 2001**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1800 M Street, N.W.
Washington, D.C. 20036
202-467-7000

Respectfully submitted
Morgan, Lewis & Bockius LLP


Michael R. Dzwonczyk
Registration No. 36,787



In the United States Patent & Trademark Office

In re Application of:
Dale, R.M.K.

Serial No.: 09/408,761

Filed on: September 29, 1999

For: **Methods for Production of Arrays
with Modified Oligonucleotide and
Polynucleotide Compositions**

Examiner: Lundgren, J.

Art Unit: 1631

Atty Dkt. No.: 03510-147

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Reply

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

In Response to the Final Official Action of November 22, 2000, the time for responding to which has been extended by the accompanying Request for Extension of Time, Applicant respectfully submits the following amendments and remarks, and the enclosed Notice of Appeal.

Amendments

In the Claims:

Please cancel claim 41, without prejudice or disclaimer to the subject matter recited therein.

Please amend claims 34-36, 40 and 43 to read as follows:

-- 34. **[Amended]** An array comprising:

- (A) a support surface; and
- (B) a plurality of modified oligonucleotide compositions, each composition comprising a plurality of oligonucleotides stably associated with a distinct